

Message Text

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PAGE 01 OTTAWA 02013 252301Z
ACTION OES-06

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DEPT. FOR OES/OFA/MSO/ERB; OES/OFA/FA/NAKATSU; EUR/CAN

E.O. 11652: N/A
TAGS: OCLR, TGEN, TPHY, CA, LOS
SUBJECT: R/V SNOW GOOSE CLEARANCE; FISHERIES RESEARCH

REF: A. STATE 045180; B. STATE 030195

1. AS REQUESTED IN REF A EMBASSY HAS OBTAINED CLEARANCE IN
EXTAFF NOTE NO. FLO-588 FOR R/V SNOW GOOSE TO CONDUCT
MARINE SCIENTIFIC RESEARCH IN GOC WATERS DURING THE PERIOD
APRIL 5-7.

2. THE SAME NOTE ALSO RESPONDED TO EMBASSY NOTE NO. 28
WHICH TRANSMITTED REF B TO EXTAFF, PRESENTING VIEWS OF
U.S. AUTHORITIES ON QUESTION OF LICENSING OF FISHERIES RE-
SEARCH VESSELS OPERATING IN CANADIAN WATERS. THE CANADIAN
RESPONSE TO THIS SUBJECT AS EXPRESSED IN EXTAFF NOTE NO.
FLO-588 IS AS FOLLOWS: BEGIN TEXT. CANADIAN AUTHORITIES
FULLY SHARE EXPECTATION EXPRESSED IN EMBASSY'S NOTE NO. 28
THAT CANADIAN AND AMERICAN FISHERY SCIENTISTS WILL CON-
TINUE THEIR CLOSE COOPERATION ON FISHERIES RESEARCH OF
MUTUAL CONCERN, AND ARE PLEASED TO INDICATE BY MEANS OF
THIS NOTE THAT PROPOSED RESEARCH ACTIVITIES OF UNITED
STATES VESSEL "SNOW GOOSE" FOR THE APRIL 5-7 PERIOD MEET
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WITH THE APPROVAL OF APPROPRIATE CANADIAN AUTHORITIES.
THE DEPARTMENT HAS NOW RECEIVED STATION LOCATION CHART
MENTIONED IN EMBASSY'S NOTE NO. 39, AND HAS NOTED THAT PRO-
POSED RESEARCH ACTIVITIES WILL BE CARRIED OUT IN CANADIAN
INTERNAL WATERS IN THE STRAIT OF JUAN DE FUCA. UNDER AP-
PLICABLE PROVISIONS OF CANADIAN LEGISLATION, AND IN
ACCORDANCE WITH ARTICLE XI OF CANADA-U.S.A. RECIPROCAL

FISHERIES AGREEMENT SIGNED IN WASHINGTON ON FEBRUARY 24, 1977, RELATING TO WAIVER OF LICENSING REQUIREMENTS, IT WILL NOT BE NECESSARY TO ISSUE A LICENCE TO THE "SNOW GOOSE."

IN THE EMBASSY'S NOTE NO. 28, IT IS STATED THAT "UNITED STATES CONSIDERS FISHERIES RESEARCH TO BE SCIENTIFIC RESEARCH WHICH IS A PROTECTED FREEDDM OF THE HIGH SEAS". CANADIAN AUTHORITIES CANNOT AGREE WITH THIS UNITED STATES VIEW IN RESPECT TO AREAS UNDER JURISDICTION OF COASTAL STATES. IN ACCORDANCE WITH PRINCIPLES REFLECTED BOTH IN TREATY AND CUSTOMARY LAW AND IN CONSENSUS EMERGING AT LAW OF THE SEA CONFERENCE, RESEARCH DIRECTED TO FISHERIES RESOURCES IN AREAS UNDER JURISDICTION OF A COASTAL STATE IS SUBJECT TO THAT STATE'S JURISDICTION. END TEXT. ENDERS

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Message Attributes

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